

the report is requested; the names of the shipper (handler) who will handle the grapes and the grower who produces them; the location of each vineyard; the variety or varieties grown in each vineyard; and the bearing, non-bearing, and total acres of each vineyard.

[69 FR 21692, Apr. 22, 2004, as amended at 72 FR 29840, May 30, 2007]

Subpart—Assessment Rates

§ 925.215 Assessment rate.

On and after January 1, 2009, an assessment rate of \$0.01 per 18-pound lug is established for grapes grown in a designated area of southeastern California.

[74 FR 8143, Feb. 24, 2009]

§ 925.304 California Desert Grape Regulation 6.

During the period April 10 through July 10 each year, no person shall pack or repack any variety of grapes except Emperor, Almeria, Calmeria, and Ribier varieties, on any Saturday, Sunday, Memorial Day, or the observed Independence Day holiday, unless approved in accordance with paragraph (e) of this section, nor handle any variety of grapes except Emperor, Calmeria, Almeria, and Ribier varieties, unless such grapes meet the requirements specified in this section.

(a) *Grade, size, and maturity.* Except as provided in paragraphs (a)(1) and (a)(2) of this section, such grapes shall meet the minimum grade and size requirements of U.S. No. 1 Table, as set forth in the United States Standards for Grades of Table Grapes (European or Vinifera Type 7 CFR 51.880 through 51.914), or shall meet all the require-

ments of U.S. No. 1 Institutional with the exception of the tolerance percentage for bunch size. Such tolerance shall be 33 percent instead of 4 percent as is required to meet U.S. No. 1 Institutional grade. Grapes meeting these quality requirements may be marked “DGAC No. 1 Institutional” but shall not be marked “Institutional Pack.” In addition, during the period April 10 through July 10, 2009, U.S. No. 1 Table grade grapes may be packed in individual consumer packages containing 2 pounds net weight or less: *Provided*, That not more than 20 percent of the weight of such containers may consist of single clusters weighing less than one-quarter pound, but with at least five berries each.

(1) Grapes of the Perlette variety shall meet the minimum berry size requirement of ten-sixteenths of an inch;

(2) Grapes of the Flame Seedless variety shall meet the minimum berry size requirement of ten-sixteenths of an inch and shall be considered mature if the juice meets or exceeds 16.5 percent soluble solids, or contains not less than 15 percent soluble solids and the soluble solids are equal to or in excess of 20 parts to every part acid contained in juice in accordance with applicable sampling and testing procedures specified in sections 1436.3, 1436.5, 1436.6, 1436.7, 1436.12, and 1436.17 of Article 25 of Title 3: California Code of Regulations (CCR).

(b) *Container and pack.* (1) Such grapes shall be packed in one of the following containers, which are new and clean, and otherwise meet the requirements of sections 1380.14, and 1380.19(n), 1436.37, and 1436.38 of Title 3: California Code of Regulations, except that reusable plastic containers may be reused if such containers are clean:

CONTAINER DESCRIPTIONS IN INCHES

Container	Depth	Width	Length
28 Sawdust Pack	7¾ (inside)	14 ¹⁵ / ₁₆ (inside)	18 ⁵ / ₈ (inside)
38J Polystyrene Lug	6¾ (inside)	12½ (inside)	15¾ (inside)
38K Standard Grape	4½–8½ (inside)	13½–14½ (outside)	16 ⁵ / ₈ –17½ (outside)
38L Grape Lug	7 ⁷ / ₈ (inside)	13 ¹ / ₁₆ (outside)	16 (outside)
38M Grape Lug	4¼–5¾ (inside)	15 ³ / ₈ –16 (outside)	23½–24 (outside)
38Q Polystyrene Lug	6¼–8¼ (inside)	11¼ (inside)	18 ¹ / ₈ (inside)
38R Grape Lug	4–7 (inside)	15¾–16 (outside)	19 ¹ / ₁₆ –20 (outside)
38S Grape Lug	5–9 (inside)	11 ¹ / ₁₆ –12 (outside)	19 ¹ / ₁₆ –20 (outside)
38T Grape Lug	5½–7½ (inside)	13 ¹ / ₈ –13 ¹⁵ / ₁₆ (outside)	15 ⁵ / ₁₆ –16 (outside)
38U Grape Lug	6 ³ / ₁₆ –7 (inside)	13 ¹ / ₁₆ (outside)	20½ (outside)
38 V Grape Lug	5¾ (inside)	14 (outside)	16 (outside)
CP Grape Lug	3 ¹⁵ / ₁₆ –4¾ (inside)	15¾–15 ¹⁵ / ₁₆ (outside)	23½–23¾ (outside)